

REMARKS

Applicants request favorable reconsideration of this application in view of the foregoing amendments and the following remarks. Of claims 1-12 that were pending in the application, claims 1-9, 11, and 12 were rejected in the Office Action. Applicants appreciate the positive indication of allowable subject matter in claim 10. By way of this amendment, Applicants have: (a) amended claims 1-5, 7, 8, 11, and 12; and (b) canceled claims 9 and 10.

In response to the positive indication of allowable subject matter in claim 10, independent claim 1 (*i.e.*, the claim from which claim 10 depended) has been amended to include the limitations of claims 10, including the limitations of intervening claim 9. Correspondingly, claims 9 and 10 have been canceled. As claim 1 has been amended to recite the allowable limitations of claim 10, claim 1, and each of its dependent claims 2-8, is in condition for allowance.

1. Rejections of Claims 1-9, 11, and 12

The Examiner rejected:

- (a) claims 1-9, 11, and 12 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,328,674 (“Matsue”);
- (b) claims 1, 6, 8, 11, and 12 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent Application Publication No. 2004/0029672 (“Tsunekawa”);
- (c) claims 1-6, 8, 9, 11, and 12 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,872,166 (“Takagi”); and
- (d) claims 7 and 9 under 35 U.S.C. § 103(a) as allegedly being obvious when considering Takagi in view of Matsue.

Preliminarily, as claim 9 has been canceled herein, the aforementioned rejections will be addressed, and respectfully traversed, with respect to claims 1-8, 11, and 12.

A. Claims 1-8

As previously mentioned, claim 1 (*i.e.*, the claim from which claims 2-8 depend) was rejected under 35 U.S.C. §§ 102(b), 102(e) as allegedly being anticipated by each of Matsue, Tsunekawa, and Takagi. Without acquiescing to the propriety of these rejections, Applicants respectfully submit that each of these rejections is now moot, as claim 1 has been amended herein to recite the admittedly allowable limitations of claim 10. Accordingly, none of Matsue, Tsunekawa, and Takagi (standing alone or combined) can be used to reject claim 1, or any claim dependent thereon, under 35 U.S.C. §§ 102(b), 102(e), 103(a). Moreover, as

claims 2-8 depend from claim 1, each of these dependent claims is also allowable over Matsue, Tsunekawa, and Takagi, without regard to the other patentable limitations recited therein. Accordingly, for at least the foregoing reasons, a withdrawal of the various rejections of claims 1-8 under 35 U.S.C. §§ 102(b), 102(e), 103(a) is both warranted and earnestly solicited.

B. Claims 11 and 12

As previously mentioned, claims 11 and 12 were rejected under 35 U.S.C. §§ 102(b), 102(e) as allegedly being anticipated by each of Matsue, Tsunekawa, and Takagi. Without acquiescing to the propriety of these rejections, Applicants respectfully submit that each of these rejections is now moot, as claims 11 and 12 have been amended herein to recite limitations that correspond to the admittedly allowable limitations of claim 10. Accordingly, none of Matsue, Tsunekawa, and Takagi (standing alone or combined) can be used to reject claims 11 and 12 under 35 U.S.C. §§ 102(b), 102(e) and, therefore, a withdrawal of the rejections of claims 11 and 12 is both warranted and earnestly solicited.

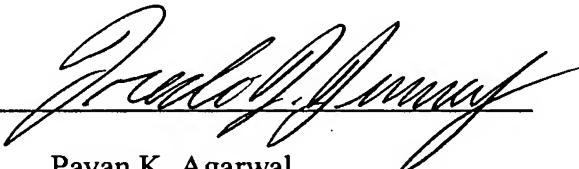
CONCLUSION

For the aforementioned reasons, claims 1-8 and 10-12 are now in condition for allowance. A Notice of Allowance at an early date is respectfully requested. The Examiner is invited to contact the undersigned if such communication would expedite the prosecution of the application.

Respectfully submitted,

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Date _____

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED REGARDING THIS APPLICATION UNDER 37 C.F.R. §§ 1.16-1.17, OR CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 19-0741. SHOULD NO PROPER PAYMENT BE ENCLOSED HEREWITH, AS BY A CHECK BEING IN THE WRONG AMOUNT, UNSIGNED, POST-DATED, OTHERWISE IMPROPER OR INFORMAL OR EVEN ENTIRELY MISSING, THE COMMISSIONER IS AUTHORIZED TO CHARGE THE UNPAID AMOUNT TO DEPOSIT ACCOUNT NO. 19-0741. IF ANY EXTENSIONS OF TIME ARE NEEDED FOR TIMELY ACCEPTANCE OF PAPERS SUBMITTED HEREWITH, APPLICANT HEREBY PETITIONS FOR SUCH EXTENSION UNDER 37 C.F.R. § 1.136 AND AUTHORIZES PAYMENT OF ANY SUCH EXTENSIONS FEES TO DEPOSIT ACCOUNT NO. 19-0741.